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May 17, 2004

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BY FACSIMILE (AND REGULAR MAIL)

Jeff S. Jordan
Office of the General Counsel
Federal Election Commission
999 E Street, NW
Washington, DC 20463

Re: MUR 5440 – Morton Goldfein

Dear Mr. Jordan:

This is in response to the complaint filed by the Republican National Committee and the Bush-Cheney '04 campaign against various parties. A copy of the complaint was provided to Mr. Goldfein with a request for his response. The complaint is without merit with respect to Mr. Goldfein and the Commission should dismiss it without any further action.

Mr. Goldfein is named in the complaint solely in his capacity as a donor to a joint fundraising committee – Joint Victory Campaign – that was formed by America Coming Together ("ACT") and The Media Fund ("TMF"). The complaint alleges that ACT and TMF should be deemed a federal political committees that are operating unlawfully and that Mr. Goldfein and other donors to the Joint Victory Campaign violated federal election laws by contributing nonfederal funds to these entities. The complaint implies that the contributors knew their donations would be made to organizations that were not operating lawfully and knew that such organizations would use these funds unlawfully.

The complaint provides no basis to find that ACT or TMF were or are operating unlawfully. The Federal Election Commission is still considering whether to issue new regulations to address the very legal principles covered by the allegations in the complaint. Given the present uncertainty, the complaint's allegation that ACT and TMF are operating in violation of FEC regulations is not sustainable.

In any event, the complaint provides no basis to assert that Mr. Goldfein donated funds to the Joint Victory Campaign with the knowledge that his contribution would

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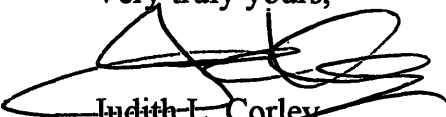
May 17, 2004

Page 2

be used for anything other than lawful purposes. Indeed, Mr. Goldfein believed that his donation to the Joint Victory Campaign was entirely consistent with the FEC's regulations. At the time of his donation, he believed Joint Victory Campaign, as well as ACT and TMF, were operating in accordance with the campaign finance laws and that his donation would be used in a lawful manner.

It is clear from the press release and news reports surrounding the RNC/Bush-Cheney '04's filing of this complaint that it was filed for strategic, political purposes. The Commission should not become the political pawn of one of the players in the upcoming election by pursuing this specious complaint against Mr. Goldfein. Mr. Goldfein respectfully requests that the complaint be dismissed.

Very truly yours,



Judith L. Corley

Counsel to Morton Goldfein

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